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Serial No. 09/762,617

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### REMARKS

With this preliminary amendment, applicants have added new claims 89 and 90, which are believed to be patentable over Leak et al., U.S. Patent No. 5,763,041. Leak does not describe a method that makes use of or controls the amount of point mis-registration between the emboss pattern on the nonwoven spunbonded polymer fabric and the lamination pattern on the single lamination pattern calender roll to avoid the occurrence of visible unlaminated patches in the form of blisters in the resultant laminate.

The Examiner is also requested to fully consider the previously-filed declaration by applicants that provides evidence that Leak did not address nor solve the problem addressed and solved by applicants -- namely, the avoidance of the occurrence of visible unlaminated patches in the form of blisters in the resultant laminate.

The Examiner is also requested to reconsider his conclusion of inherency which is, in turn, based on his conclusion that the broadly recited weight range for the polymeric fabric in Leak provides "sufficient specificity" to render Leak's process anticipatory of the claims. Applicants note that nowhere does Leak make a laminate using a polymeric fabric having a minimum weight of approximately 50g/m<sup>2</sup>. Recitation of broad ranges in the prior art, and the lack of any specific working example within the claimed range, is insufficient to carry the Examiner's burden of establishing that Leak inherently meets the claims.

Entry of this preliminary amendment and examination on the merits is respectfully requested.

Respectfully submitted,

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